

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

December 4, 2008



10:00 AM
DEQ Piedmont Office
Glen Allen, VA

DRAFT MINUTES

1. Welcome and Introductions:

Jimmy Sisson, RMDC Vice Chair, called the meeting to order at 10:15 A.M. and welcomed the members of the Virginia Recycling Markets Development Council to the meeting. Those attending the meeting introduced themselves.

2. Determination of Quorum

A quorum of appointed members was not determined as present and he noted that no official action can be taken without a quorum, but the presentations and discussions on the agenda can proceed. Those who were present for some or all of the meeting are noted below:

RMDC	Representing	Absent RMDC	
James Sisson	Vice Chair - Recycling	Michael Ward	Chair – Oil Industry
Richard Lerner	Metal Industry	Robert Broom	Composting Industry
Michael Benedetto	Paper Industry	John Kemper	Glass Industry
Tom Smith	VACO	John Kline	Tires
		Bernard Harris	Waste Industry
		Philip Abraham,	Plastics Industry
		Chip Goyette	Urban PDC
		Eric Fidler	Electronics
		Stephen Thompson	Aluminum
Virginia Agencies		Open	Rural PDC
Georgiana Ball	VDGS	Open	Public At-Large
Larry Lundy (for William Bailey)	VDOT	William Vehrs	VDBA
Mike Murphy	VDEQ		

Visitors/guests

Pamela Gratton	Fairfax County
Harry Gregori	Environmental Solutions Inc.
Steve Coe	VDEQ Staff

3/4. Approval of Agenda and Minutes

The Chair asked the committee members to review the meeting agenda. No objections were raised so the proposed agenda was accepted. Minutes from the September 4, 2008 meeting were reviewed with no comments. No vote was taken to approve the minutes. Mr. Coe reviewed with the Council the current RMDC appointees and status (attached). Mr. Coe indicated he could give a report on the JCOTS committee during the meeting. No other changes to the agenda were recommended.

5. Recycling and Legislative Issues for 2009: The Honorable John A Cosgrove (78th District, Chesapeake)

Delegate Cosgrove appreciated the opportunity to address the Council and discuss environmental issues. As the Chairman of the Chesapeake Bay Commission, he is supportive of the environment. He supports recycling and preserving landfill space because it is the right thing to do and it also makes economic sense. He believes more public education is needed to increase participation in recycling programs.

Delegate Cosgrove believes additional legislation will be forthcoming to increase recycling of electronics waste (Ewaste) and authority to ban certain types of batteries from disposal. He also supports legislation which was introduced last year to increase glass recycling and to require all ABC licensed businesses to recycling glass when feasible (e.g., there are recycling facilities nearby). He also supports more recycling of Construction and Demolitions (C&D) wastes. He stated that you must be careful with legislation and regulations that ban materials from disposal. There must be infrastructure available to recycle these materials.

Delegate Cosgrove briefly discussed the Governor's energy proposal. There may be some bills that support energy from waste, such as biofuels which use cellulose material to make fuel. Bills to support waste-to-energy and gas recovery projects may also be introduced. He supports setting a 50% recycling and waste diversion goal for the Commonwealth. Delegate Morgan has introduced a ban on C&D materials going to municipal landfills. We need to find ways to recycle more C&D material. The Potomac Landfill in Dumfries has proposed to mine the material from the landfill and to recycle and reuse the mined material.

There may also be legislation introduced addressing issues facing SPSA. He believes SPSA needs to focus more on recycling.

The main issued facing the General Assembly this year will be the budget. Many of the waste and recycling issues will likely not be addressed for another year.

We need to look for opportunities, such as the Governor's energy policy, to have legislation to increase recycling and divert more waste from landfills.

Mr. Benedetto asked Delegate Cosgrove about the JLARC recommendation on a disposal surcharge, and if he has seen any proposed legislation for a surcharge. Delegate Cosgrove has not seen any proposed legislation, and doubts legislation will be introduced this year.

Mr. Smith discussed the issue of goals versus mandates. Local governments do not need any more mandates. Having a state goal of 50% diversion of waste may be a good idea and DEQ would need to look at a base diversion rate.

Ms. Gratton asked if the General Assembly could help in requiring reporting from C&D facilities. Local governments do not have the data to report on C&D recycling. She also asked if the JLARC study had been approved. Mr. Murphy stated that the study was accepted by JLARC at its last meeting.

Vice Chairman Sisson discussed the challenges of recycling glass. Delegate Cosgrove indicated legislation to require ABC licensed establishments to recycle glass will not be introduced this year. Right now they are talking to stakeholders. Mr. Sisson indicated that there is no facility in Virginia that can upgrade the glass to a higher quality for marketing. We need to find ways to provide incentives so this type of facility is built in Virginia. Delegate Cosgrove indicated there will likely be no additional tax credit legislation this year. Tax credits should be considered during better economic times.

Mr. Gregori suggested looking at the state building codes and review requirements for recycling facilities. There may be some way to reduce code requirements to make recycling facilities more economical to construct.

Delegate Cosgrove again thanked the Council for inviting him to the meeting, and indicated we could call him at anytime. Vice Chairman Sisson thanked Delegate Cosgrove for taking the time to speak to the Council.

6. Old Business

JLARC Study and VRMDC Response

Vice Chairman Sisson passed out a letter sent by Chairman Ward to JLARC (attached). The JLARC study recommended elimination of the VRMDC, to institute a waste surcharge and establish a position in DEQ for recycling and markets.

Mr. Murphy informed the council that the study was accepted by JLARC at its last meeting. The study recommended an additional staff person in VDEQ, and

the funding for this position was tied to a waste surcharge. Both Delegate Cox and Delegate Griffith are not interested in a waste surcharge this year. The report also recommended a state-wide solid waste plan. Mr. Murphy believes this will be beneficial, but DEQ does not have the resources to prepare this plan. DEQ has lost 58 positions, and recycling is now part of the Pollution Prevention program. DEQ could use consultants to prepare the plan, but no funds have been provided.

The JLARC report also recommended a review of the regulations for solid waste planning. The regulations were recently reviewed and revised, and the calculation for recycling rate was simplified.

Mr. Gregori stated that legislators will be consumed with budget issues this year, and nothing will likely happen with solid waste management and recycling.

Ms. Ball stated that there is a need to educate the public on the benefits of recycling. Economic development funds should be used to show the benefits of recycling.

Mr. Murphy informed the Council that the Litter competitive grants will be eliminated this year and next year.

Mr. Murphy reported on other legislation. The computer recycling legislation was effective July 1. JCOTS has looked at including TVs in this legislation, but it will not be moving forward at this time. A proposed bill (attached) to allow banning the disposal of rechargeable batteries will likely move forward. Ms. Ball has copies of the JCOTS meeting notes. It is encouraging to see some private businesses, like Best Buy, begin to recycling batteries and small electronics. There could also be legislation proposed on CFL disposal

A few localities are still looking into allowing a ban on plastic bags. Mr. Murphy has not seen draft legislation. Delegate Morgan is also looking into changes in the authority of the Waste Board which will be consistent with the Air and Water Board. This would give the Waste Board more authority in reviewing and approving solid waste facility permits.

7. New Business

Final 2007 Recycling Report

Mr. Coe reviewed the highlights of the Recycling in Virginia, CY 2007 report (attached). He noted and the committee discussed the increase in the number of localities who are meeting the mandates with the new tiered 25% and 15% required recycling rates.

Recycling Markets

Mr. Smith expressed concern with the recent collapse in the recycling markets. In his community, recycle processors are having difficulty moving products, such as cardboard, single stream recyclables, and electronics.

Mr. Benedetto stated that a long term supply and demand is needed. Recycling processors need to be committed to the business for the long term to be successful during the ups and downs in the marketplace. Mr. Lerner has seen the metal prices drop faster than he has ever seen. Containers of metal are stockpile at US and China ports waiting for buyers.

Ms. Ball stated we need to encourage the use and purchase of more recycled products.

It was generally agreed that the recycling markets are a reflection of the global economy and there was not anything the Council or DEQ could do in the short term to help the situation.

Mr. Murphy reported that one good thing that has resulted from the slow down in the economy is much lower bids for tire clean-ups. With fuel prices down and the construction industry looking for work, DEQ is getting some excellent bid prices on the remaining clean-up sites.

Outreach to Localities

Mr. Coe has not received any request from localities who are not meeting the recycling mandates. Mr. Coe will provide assistance upon request. The Council members also offered assistance if needed.

Market Focus – Glass and Asphalt Shingles

Vice Chairman Sisson indicated we had been focusing on glass markets at past meetings. There is a company who is interested in locating a glass recycling facility in Virginia to upgrade glass from recycling facilities. Some asphalt plants are now using shingles and there is a specification for using shingles in making asphalt.

Mr. Benedetto stated that a steady supply of glass is needed and the Council should support efforts to require recycling of glass from ABC licensed facilities.

Mr. Murphy indicated that Delegate Murphy is interested in CFL recycling and the Council should add this item for discussion at a future meeting. Mr. Smith stated manufacturers of CFL should be involved in the discussions.

6. Public Comment/Adjournment

Mr. Gregori invited the Council to visit the sustainability park in Chester at a future meeting.

Vice Chairman Sisson suggested that future meetings be held quarterly on the first Wednesday of the month. The Council members concurred. Meetings in 2009 will be held on March 4, June 3, September 2 and December 2 at 10:00 AM. We will meet here at the DEQ Piedmont office unless otherwise notified.

The meeting adjourned at 12:30 PM.